

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. LABADIE,)
)
Defendant.)
)
)
)
)
)

CASE NO. 06-476M

DETENTION ORDER

Offense charged:

Assault of a Federal Officer, in violation of Title 18, U.S.C., Section 111.

Date of Detention Hearing: September 14, 2006

The Court, having conducted a contested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Tate London. The defendant was represented by Brian Tschuida.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant has no ties to the Western District of Washington and is a native and citizen of Canada.
- (2) Due to the nature and seriousness of the crime alleged, release of the defendant would pose a risk of flight and danger to the community.
 - (a) The facts of the case involve an assault on a U.S. Border and

1 Customs officer. The background and history include an
2 uncharged incident between the same officer and the defendant,
3 also occurring at the U.S. Customs office at the Canadian border.

4 (b) The defendant also presented unstable behavior in court--one
5 minute bowing to the Court, the next minute becoming angry and
6 rude and presenting veiled threats to the Government *and* the
7 Court. At today's hearing the defendant feigned tears and
8 remorse for his earlier behavior, his deception being evident .

9 (c) Through the reports to U.S. Pretrial Services, the defendant is
10 known to the Royal Canadian Mounted Police ("RCMP") as
11 having numerous encounters with the police and to avoid arrest he
12 fraudulently claimed to be an active member of the RCMP,
13 knowing in fact that he had resigned.

14 Thus, there is no condition or combination of conditions that would reasonably
15 assure future court appearances.

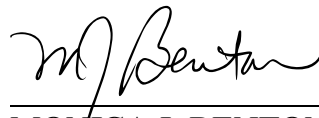
16 **It is therefore ORDERED:**

- 17 (1) Defendant shall be detained pending trial and committed to the custody of
18 the Attorney General for confinement in a correctional facility separate, to
19 the extent practicable, from persons awaiting or serving sentences, or being
20 held in custody pending appeal;
- 21 (2) Defendant shall be afforded reasonable opportunity for private
22 consultation with counsel;
- 23 (3) On order of a court of the United States or on request of an attorney for the
24 Government, the person in charge of the correctional facility in which
25 Defendant is confined shall deliver the defendant to a United States
26 Marshal for the purpose of an appearance in connection with a court

proceeding; and

(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 18th day of September, 2006.



MONICA J. BENTON
United States Magistrate Judge